



Order Filed on June 19, 2018 by  
Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

HERBERT B. RAYMOND, ESQ.  
ATTORNEYS AT LAW  
7 GLENWOOD AVENUE, 4<sup>TH</sup> FLOOR  
EAST ORANGE, NEW JERSEY 07017  
TELEPHONE (973) 675-5622  
TELEFAX (408) 519-6711  
VOICEMAIL (815) 642-4613  
Email: [bankruptcy123@comcast.net](mailto:bankruptcy123@comcast.net)  
HERBERT B. RAYMOND, ESQ.  
JEFFREY M. RAYMOND, ESQ.  
KEVIN DELYON, ESQ.  
ATTORNEYS FOR THE DEBTOR(S)

In Re:

LIWAA J. DARWISH, DEBTOR(S)

Case No.: 17-23053 (JKS)

Adv. No.:

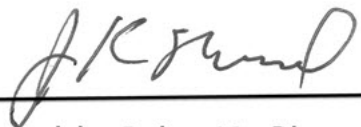
Hearing Date: N/A

Judge: JOHN K. SHERWOOD

ORDER AUTHORIZING LOAN  
MODIFICATION AND FOR OTHER RELIEF

The relief set forth on the following pages, two (2) through four (4) is hereby  
ORDERED:

**DATED: June 19, 2018**

  
Honorable John K. Sherwood  
United States Bankruptcy Court

Page 2

Debtor: Liwaa J. Darwish, Debtor(s)

Case no.: 17-23053 JKS

Caption of order: Order Authorizing Loan Modification and for  
Other Relief

---

1. That the Debtor be and is hereby authorized to enter into and consummate a loan modification with Bayview Loan Servicing, LLC, pursuant to the terms and conditions of the proposed loan modification agreement, entitled 'Loan Modification Agreement', filed as an Exhibit in support of this motion, relating to real property located at 159 Hamilton Trail, Totowa, New Jersey, and the loan modification be and is hereby approved.

2. That the Debtor and/or Bayview Loan Servicing, LLC, be and are authorized to enter and consummate any transaction necessary and incident to the loan modification relating to this property, the sole exception being the transfer of the property or an interest in the property by the Debtor(s) to someone else.

a. Limited automatic stay relief is granted, to allow Bayview Loan Servicing, LLC, to negotiate any such agreement with the Debtor or counsel, enter into and sign a loan modification agreement, and record any documents with the appropriate county recorders office without such action being considered a violation of the automatic stay.

3. That the Debtor and/or Bayview Servicing, LLC, are authorized to negotiate and prepare the terms or documents

Page 3

Debtor: Liwaa Darwish, Debtor(s)

Case no.: 17-23053 JKS

Caption of order: Order Authorizing Loan Modification and for  
Other Relief

---

relating to a loan modification, or any necessary transaction incident to a loan modification agreement, such as, but not limited to the circumstances described above, with respect to this property and any such negotiation and/or preparation of documents and/or recording of documents, by the parties shall not considered to be a violation of the automatic stay and are specifically authorized by the Court.

4. That any communication by the parties relating to the loan modification shall be considered to be negotiations, pursuant to the Rules of Evidence, and shall not be used by either party against the other in the context of any subsequent litigation in this Court or any state court, federal court or non-judicial forum.

5. That nothing in this order shall be construed as a modification of the plan.

6. That the mortgage company and/or mortgage servicer may not persuade the Debtor(s) to dismiss this case in order to consummate a loan modification.

7. That because the mortgage is being modified and the pre-petition arrears are being addressed in the new mortgage, the pre-petition arrearage claim, filed by Bayview Loan Servicing,

Page 4

Debtor: Liwaa Darwish, Debtor(s)

Case no.: 17-23053 JKS

Caption of order: Order Authorizing Loan Modification and for  
Other Relief

---

LLC, or its predecessors, assignees or successor in interest, as  
claim number fifteen on the claims register, shall not be paid  
and the Trustee shall not make any payments/disbursements on any  
pre-petition arrearage claim. If the modification is not  
consummated for any reason, Bayview Loan Servicing, LLC, may, at  
any time during the pendency of this case, re-list the matter  
for further hearing, otherwise, this order shall be deemed  
final.